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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

#163736  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/440,106
		Filing Date	November 15, 1999
		Confirmation Number	2546
		First Named Inventor	TAYLOR, CHARLES S.
		Group Art Unit	3736
		Examiner Name	NASSER, ROBERT L.
Total Number of Pages in This Submission	17	Attorney Docket Number	GUID-003DIV2

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form in Duplicate (2 pgs.) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (2 pgs) <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Statement Under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard PTO 1449 (12 pgs) 238 References	
			<input type="checkbox"/>

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	ALAN W. CANNON, Reg. No. 34,977	RECEIVED
Signature		AUG 11 2003
Date	Aug 5, 2003	TECHNOLOGY CENTER R3700

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Typed or printed name	Maria J. Sousa	Date	August 5, 2003
Signature			

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**FEET TRANSMITTAL**  
**for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**Complete if Known**

Application Number	09/440/106
Filing Date	November 15, 1999
Confirmation Number	2546
First Named Inventor	Taylor, Charles S.
Examiner Name	Nasser, Robert L.

 TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Art Unit 3736

Attorney Docket No. GUID-003DIV2

**METHOD OF PAYMENT** (check all that apply)**FEE CALCULATION (continued)** Check  Credit Card  Money Order  Other  None Deposit Account:

Deposit Account Number 50-2653

Deposit Account Name Law Office of Alan W. Cannon

The Commissioner authorized to: (check all that apply)

 Charge fees indicated below  Credit any overpayments Charge any additional fee(s) during the pendency of this application Charge fees indicated below, except for the filing fee to the above-identified deposit account.**3. ADDITIONAL FEES**

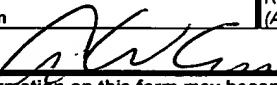
Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65 Surcharge – late filing fee or oath	
1052	50	2052	25 Surcharge – late provisional filing fee or cover sheet	
1053	130	1053	130 Non-English specification	
1812	2,520	1812	2,520 For filing a request for ex parte reexamination	
1804	920*	1804	920* Requesting publication of SIR prior to Examination action	
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	
1251	110	2251	55 Extension for reply within first month	
1252	410	2252	205 Extension for reply within second month	
1253	930	2253	465 Extension for reply within third month	
1254	1,450	2254	725 Extension for reply within fourth month	
1255	1,970	2255	985 Extension for reply within fifth month	
1401	320	2401	160 Notice of Appeal	
1402	320	2402	160 Filing a brief in support of an appeal	
1403	280	2403	140 Request for oral hearing	
1451	1,510	1451	1,510 Petition to institute a public use proceeding	
1452	110	2452	55 Petition to revive – unavoidable	
1453	1,300	2453	650 Petition to revive – unintentional	
1501	1,300	2501	650 Utility issue fee (or reissue)	
1502	470	2502	235 Design issue fee	
1503	630	2503	315 Plant issue fee	
1406	130	1460	130 Petitions to the Commissioner	
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180 Submission of Information Disclosure Stmt	180.00
8021	40	8021	40 Recording each patent assignment per property (times number of properties)	
1809	750	2809	375 Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375 For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375 Request for Continued Examination (RCE)	
1802	900	1802	900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*\*or number previously paid, if greater; For Reissues, see above.

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ 180.00)****SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Alan W. Cannon	Registration No. (Attorney/Agent)	34,977	Telephone	(408) 736-3554
Signature				Date	August 5, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

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Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on this date.

Typed or Printed Name / Maria J. Sousa

Signature *Maria J. Sousa* Date August 5, 2003

**INFORMATION  
DISCLOSURE STATEMENT**

Address to:

BOX:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney Docket	GUID-003DIV2
First Named Inventor	Charles S. Taylor
Application Number	09/440,106
Filing Date	November 15, 1999
Group Art Unit	3736
Examiner Name	Nasser, Robert L.
Title	Surgical Devices For Imposing a Negative Pressure to Stabilize Cardiac Tissue During Surgery

Sir:

This is an Information Disclosure Statement submitted for the Examiner's consideration. This is being filed *after* three months of the filing date or *after* the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.

A Form PTO-1449 listing the references accompany this paper. Applicants would appreciate the Examiner's initialing and returning the form to indicate that the references have been reviewed and made of record. Copies of the references identified herein which were disclosed in parent applications Serial No. 08/870,687, filed June 6,1997 (now U.S. Patent No. 6,032, 672); which is a Div of Serial No. 08/603,328, Filed February 20, 1996 (now U.S. Patent No. 5,727,569); are included herein, pursuant to the provisions of 37 C.F.R. Section 1.98(d). Accordingly copies of references which are not included are listed in bold on the PTO-1449.

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This Information Disclosure Statement is not intended as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one of the above references constitutes prior art to the present application within the meaning of 35 U.S.C. §102.

The Commissioner is hereby authorized to charge the filing fee of \$180 for filing an Information Disclosure Statement to deposit account No. 50-2653, order number G UID-003DIV2 as noted on the Fee transmittal submitted in duplicate with this filing. Additionally, any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit of any overpayment is authorized to be charged to Deposit Account No. 50-2653, order number No. G UID-003DIV2.

Date: August 5, 2003

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Respectfully submitted,  
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